

PAUL BATISTA, P.C.
Attorney-at-Law
26 Broadway – Suite 1900
New York, New York 10004
(631) 377-0111

e-mail: Batista007@aol.com

Facsimile: (212) 344-7677

April 28, 2021

VIA ECF

Hon. Peggy Kuo
United States Magistrate Judge
for the Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: Kashmir Gill v. JUS Broadcasting Corp., et al.,
1 :19-cv-04216 (ILG) (PK)

Dear Magistrate Kuo:

Enclosed is a copy of Ms. Sandhu's letter to Google as mandated by your April 25, 2021 Order.

Sincerely,



Paul Batista

cc: All Counsel of Record

JUS BROADCASTING CORPORATION
36-01 36th Avenue
Long Island City, New York 11106

April 28, 2021

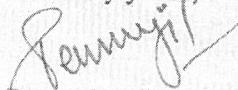
Ms. Molly O'Neill
Legal Investigations Support
Google LLC
1600 Amphitheatre Parkway
Mountain View, California 94043
Google-legal-support@google.com

Re: **Kashmir Gill v. Jus Broadcasting Corp.,**
19-cv-04216 (ILG) (PK)

Dear Ms. O'Neill:

At the direction of Magistrate Judge Kuo (*see* Docket Minute Entry 111), I am enclosing a self-explanatory order dated Sunday, April 25, 2018 and as directed am sending it to you.

Sincerely yours,



4/28/21

Penny Sandhu
Chairman, President and
Chief Executive Officer of the
Entity Defendants and an
Individual Defendant

PKS/wg

Enc.

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

X

KASHMIR GILL,

Plaintiff,

-against-

JUS BROADCASTING CORP, JUS PUNJABI,
LLC, JUS ONE, CORP., JUS BROADCASTING
CORP PVT LTD, AND PENNY SANDHU,

Defendants.

ORDER REGARDING NON-
PRODUCTION OF DOCUMENTS

19-cv-04216 (ILG) (PK)

X

Before the Court is the parties' joint motion for production of certain communications by Google Inc. ("Google"). Having heard the parties and considered their submissions, the Court FINDS and ORDERS as follows:

1. In an email communication dated February 23, 2021 to attorney Alan Ackerman, Molly O'Neil stated, "I want to flag that it does not appear that kashmirgill@jusbroadcasting.com currently exists in our systems. As such, we would not have any content data to produce for that account." She further stated, "We are looking into why we are unable to locate the kashmirgill@jusbroadcasting.com account. If we determine that we do have responsive records, we can work with you to add kashmirgill@jusbroadcasting.com to the order [requesting production of documents]."
2. In a further email communication dated March 29, 2021 to Mr. Ackerman, Ms. O'Neil stated that the kashmirgill@jusbroadcasting.com account "no longer appears to exist in our systems."
3. The Court directs Google to provide a sworn affidavit, no later than May 12, 2021, stating the basis for its conclusion that the kashmirgill@jusbroadcasting.com account no longer appears to exist in its systems. If the account was deleted, Google shall state when such

deletion occurred and the circumstances under which it was deleted. If emails associated with the account were deleted on different dates, Google shall state what those dates were. If the account is located by May 12, 2021, Google shall state the procedures necessary to produce emails associated with the account.

4. Google is directed to send the affidavit to Paul A. Batista, Esq., counsel for Penny Sandhu, the registered administrator for the G Suite domain jusbroadcasting.com.
5. Paul A. Batista, is ordered to provide a copy of this Order to Google no later than April 28, 2021, including an address or email address where the affidavit shall be sent. Upon receipt of the affidavit from Google, Mr. Batista is ordered to file it with the Court immediately.

SO ORDERED:

Peggy Kuo
PEGGY KUO
United States Magistrate Judge

Dated: Brooklyn, New York
April 25, 2021

JUS Broadcasting Corporation
36-01 36th Avenue
Long Island City, New York 11006

January 28, 2021

Ms. Molly O'Neil
Legal Investigations Support
Google LLC
1600 Amphitheatre Parkway
Mountain View, California 94043
Google-legal-support@google.com

Re: Kashmir Gill v. Jus Broadcasting Corp., et al.
United States District Court
for the Eastern District of New York
Case No. 1:19-cv-04126 ILG PK
(Internal Ref. No. 4603L50)

Dear Ms. O'Neil:

I am Penny K. Sandhu. I am the Chief Executive Officer, President and owner of all the entity defendants named in the above-entitled litigation. The entity defendants are JUS Broadcasting Corp., JUS Punjabi, LLC, JUS One Corp., and JUS Broadcasting Corp PVT Ltd. I am also named individually as a defendant.

Background and Purpose of Letter

More than a decade ago, I established and exclusively control the G suite accounts associated with *jusbroadcasting.com*. The primary G Suite account is *penny@jusbroadcasting.com*. The domain for the G Suite which I control is JUSBROADCASTING.COM.

By a non-party subpoena dated October 22, 2020 Alan R. Ackerman, the attorney for Kashmir Gill in the litigation, demanded the production of documents by Google LLC ("Google"). Among the documents demanded in the Subpoena were "all of the emails" sent to or received by *penny@jusbroadcasting.com* since January 1, 2011.

Together with all the other defendants, I timely objected to Google's production of *all* my emails (*i.e.*, Penny K. Sandhu's emails) on numerous grounds, including privacy and overbreadth grounds. Defendants also objected by their invocation of the federal Stored Communications Act.

Developments and Resolution

As a result of motion practice regarding the Subpoena, Magistrate Judge Peggy Kuo of the Eastern District of New York directed the parties as follows:

Penny

Ms. Molly O'Neil
January 28, 2021
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- * That portion of the Subpoena demanding production by Google of *all* emails since 2011 sent by, or received by, the email *penny@jusbroadcasting.com* are to be sent by Google to me only and not to Messrs. Ackerman or Gill. I am requesting immediate production of these emails to me exclusively.
- * The Magistrate Judge directed that after Google sends my emails to me, Mr. Ackerman and my attorney, Paul Batista, Esq., would select key words together to screen my emails.

* * *

I am also requesting that Google forward all emails emanating from the account of Kashmirgill@jusbroadcasting.com to Kashmir Gill, 935 Route 34, Suite 3A, Matawan, N.J. 07247. I also ask that Google include all passwords relating to Kashmirgill@jusbroadcasting.com, if such a password or passwords are still available to Google, to Mr. Gill to facilitate his access to Kashmirgill@jusbroadcasting.com.

Sincerely yours,

Penny K. Sandhu

Penny K. Sandhu
2/9/21

PKS/wg

cc: Alan R. Ackerman, Esq.
Paul Batista, Esq.